



apuntes

Reflexiones teológicas desde el contexto Hispano-Latino

**The Fourteenth Amendment: Race, Immigration and
Transformation in the Twenty-First Century**

Anthony Cortese

**Latin American Immigration:
A Moral and Theological Debate**

S. Vance Goodman

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Apuntes

Theological Reflections from a Hispanic-Latino Context

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From the Editor

What a great honor and responsibility it is to take on the role of Editor of *Apuntes*, in doing so I follow in the footsteps of excellent leaders, great friends, and respected colleagues. For this reason, I want to express my gratitude and appreciation for the work and leadership of Dr. Justo L. González and Dr. Luis Pedraja as editors of *Apuntes* for the last 30 years, thank you so much for your contribution and work in promoting Hispanic scholarship and addressing issues that are relevant to our communities. Words cannot express the value and importance of your work but a quick look at the list of topics addressed under your leadership reveals your commitment to serve *nuestro pueblo* and promote the work of seasoned and young scholars, as well as the perspectives of practitioners (pastors, teachers, missionaries, and social service providers). Thank you for your unselfish commitment, for your dedication to serve others, and for representing the multiple aspects and issues related to the Hispanic communities in the United States as well as those related to ministry in Latin America. *Gracias hermanos por su trabajo y sus contribuciones, en verdad lo apreciamos.*

Now it is my privilege and responsibility to continue in this great tradition and look for ways to serve our audience and search for articles that would be relevant to our readers and significant for their ministries, while at the same time maintaining the core values of *Apuntes*, and the articles in this number are an excellent evidence of this dual commitment. The concerns, questions, and heated debates regarding immigration in the United States are issues that challenge all of us, pastors, professors, social service agencies and their leaders, as well as denominational officials; since for us the Christian faith and the biblical narrative play an important role in our decision making process and in these aspects we find multiple references regarding the care and treatment of "the strangers in the land." Anthony Cortese, Professor of Sociology at SMU, and S. Vance Goodman, a Master of Divinity student at Perkins School of Theology, offer exceptional insights in this difficult issue. Cortese does it by looking at the sociological, cultural and political implications, while Goodman presents a solid ethical and theological response appealing to our moral conscience. I hope you will enjoy these articles and may God lead you and guide you as you find ways to minister to immigrants and non-immigrants alike.

The Fourteenth Amendment: Race, Immigration and Transformation in the Twenty-First Century¹

Anthony Cortese

The 14th Amendment to the U.S. Constitution

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The Fourteenth Amendment was ratified in 1868, three years after the end of the Civil War and the passage of the Thirteenth Amendment that abolished slavery and involuntary servitude. It protects individual rights against state infringements. It also defines citizenship and prohibits states from interfering with privileges and immunities. It requires due process and equal protection under the law, punishes states for denying the vote to minorities, and disqualifies Confederate officials and debts. In short, the Fourteenth Amendment was constructed and implemented to protect the rights of newly freed Black slaves. We now turn to a case study of immigration. Is it possible that immigration has become the new postmodern slavery?

A Case Study of Immigration

“Mom, why are they taking you away from me? I won’t let them. Why didn’t you tell them ‘please let me stay?’” Four-year old, Samuel

¹ This research was sponsored by the City of Dallas, Texas. A earlier version of this article was presented at the Black Academy of Arts and Letters Roundtable Writer’s Breakfast, January 8, 2011.

said this upon his mother's arrest by immigration officials. They were asleep when agents knocked on their door. The twenty-four year old Latina, named Raquel, had lived in the United States since age seven. The medical assistant had been recently denied a work permit renewal. However, she was appealing that decision.

Raquel was then told to "make arrangements" for her U.S. born son--an American citizen. She was finger-printed, jailed and deported to a country where she has not been since leaving, with her mother, eighteen years prior. It was evident that Raquel had completely assimilated from Latin to American culture.

This case was based on a deportation order issued in 1988 after Raquel's mother brought her brother and her into the United States illegally. Raquel was seven and too young to realize that her mother's actions made her an immigration fugitive—one of an estimated 590,000 living in the U.S.² Immigration fugitives are but a small portion of an estimated twelve million illegal immigrants in the country.

The federal government is tracking down on fugitives. "Operation Return to Sender" concentrates on criminals, gang members, and fugitives with pending deportation orders. This reflects the latest strategy of the U.S. Immigration and Customs Enforcement. In just two years (from 2005 to 2007), the number of five- to eight-member fugitive teams rose from twenty to seventy.

Then Homeland Security Secretary Michael Chertoff indicated that fugitives caught in the Operation Return to Sender "threatened public safety in hundreds of neighborhoods across the country."³ Immigration and Customs Enforcement propaganda highlighted captured criminals such as a twenty-five year-old Latino with an extensive criminal record that includes ties to Salvadorian-originated MS-13, one of the most violent and dangerous gangs. However, classifying a twenty-four year-old single mother and full-time health care worker who has put herself through school in the same group of hard-core criminals seems ridiculous and unfair.

² Cindy Gonzalez. "Deportation Hits Home." *Omaha World-Herald*, June 20, 2006, 1-2.

³ Ibid, 2.

Immigration and Customs Enforcement confirmed that Raquel had no felony convictions. Raquel and her family were refugees fleeing for their protection. Their illegal entry occurred during El Salvador's 12-year civil war. On the way to California to reunite with her father, Border Patrol agents caught Raquel and her family. Despite agreeing to voluntarily leave the country, the family did not leave. Remaining in the United States caused the deportation order against Raquel to take effect.

After graduating high school, Raquel enrolled in a college of health careers and became certified as a medical assistant. Raquel worked in the health field for the next five years, often using her bilingual skills to translate for Spanish-speaking patients and English-speaking health providers.

Raquel assumed she was protected from deportation when she was a minor since her mother's asylum application cited her as a dependent. Raquel received annual work permits for years. What is both tragic and ironic is that while Raquel was deported, her parents obtained legal status. Blanca (Raquel's mother) received legal status after her case wound its way through the courts system. Rafael, Raquel's father, has also obtained legal status in a separate residency case. However, Raquel has become a stranger in the country where she was born.

Immigration: Historical, Political and Cultural Perspectives

There is hardly a more contentious and timely issue in America than immigration. Some pundits say immigration is out of control and are calling for laws that would make illegal immigration a felony. Some also support the building of a massive two thousand mile long wall along the Rio Grande to keep out undocumented immigrants. Finally, should we reward illegal behavior by giving amnesty to undocumented migrants?

We are a nation of immigrants but should we make exceptions by allowing some groups of people to bypass the legal process for entry and eventual citizenship when others abide by laws and regulations? We hear contradictory stereotypes: Mexicans are taking jobs away from Americans and—at the same time—are a drain on our welfare, health care, and educational systems. Is it not our government's job to protect

our borders? It is not surprising that the Minute Men are patrolling our borders with rifles. The issue of terrorism also complicates immigration and national security; it seems to cut against some of the objectives of immigration policy.

Immigrants contribute to the economy by providing cheap labor and voraciously consuming American goods and services. The agricultural, tourist, hotel, landscaping, restaurant, lawn and gardening, roofing, construction, child-care, housecleaning and other industries are dependent on immigrant workers. Immigrants do menial labor that Americans refuse to do—for such low wages, at least.

Third World parents leave countries with desolate economies that can offer only despair and hopelessness. An informed policy cannot afford to ignore immigrant children. Can we blame such parents for trying to get a fresh start and new hope for themselves and their children?

It seems obvious that our current immigration policy does not work. Rapid population growth and depressed economies provide a push for people to emigrate. The introduction of public health measures, such as better nutrition, greater access to medical care, improved sanitation, and more widespread immunization has produced a rapid decline in death rates in Third World Countries.

According to current demographic patterns, Mexico will achieve zero population growth by 2017. The process of achieving zero population growth forces wages to rise close enough to those in the U.S. to undercut the advantages of migration. The U.S. will then turn increasingly to immigrants from the Caribbean and the rest of the Americas to keep wages down.

Until Mexico reaches zero population growth, an open border policy—something that no U.S. politician currently advocates—may be a solution. Immigrants are consumers that provide economical labor and human capital. I suggest a paradigm shift from viewing immigrants as liabilities to viewing them as assets. Young immigrants support the aging U.S. population. Wages in the U.S. will then rise, at which point the U.S. may import more working-class Asians, unless we follow Japan's lead in developing robots for menial tasks.

The United States contains many cultures where each ethnic group should be encouraged to celebrate and transmit its own religion,

language, values, and cuisine. We have never been a monolingual nation. There were German and Dutch newspapers in addition to English since the beginning. There were also the hundreds of Native American tongues.

The United States, clearly, is a nation of immigrants; it has always been a multi-ethnic country despite British cultural and English-language hegemony. Mexico has been sending migrants north for more than a century. In fact, the American Southwest—New Mexico, Arizona, Texas, and much of California, Colorado and Nevada—used to belong to Mexico. In short, Mexico has always been a part of our culture and our territory.

Mexico was forced to cede nearly half of its territory as a result of the Treaty of Guadalupe Hidalgo in 1848. The treaty was the result of the United States-Mexican War that started in 1846. It established the Rio Grande as the border between the two nations. Mexicans living north of the Rio Grande were given a choice. They could migrate south of the border and retain their Mexican citizenship or they could remain in the conquered land, give up their Mexican citizenship and become citizens of the United States.

The Treaty guaranteed Mexicans full rights as citizens of the United States, including equal treatment under the law later codified by the Fourteenth Amendment. It also honored all previous Spanish and Mexican land grants. Unfortunately for Mexican Americans, they generally were not treated fairly as citizens. Nor were they afforded equal protection under the law. Moreover, their land was often stolen from them via extortion, intimidation, murder, unscrupulous officials and land developers, over-taxation, and stacked litigation.

Immigration always involves “push” and “pull” factors. The push factor was and is still an extremely weak and unstable Mexican economy. At the turn of the twentieth century, the pull factors were jobs and other opportunities in a rapidly increasing American economy based both on agriculture and rapid urbanization and industrialization. In the early 1900s, Mexicans entered the United States attracted by farm and factory jobs. Prior to the restrictive immigration act passed by Congress in 1924, Mexican immigrants simply paid five cents to cross the border and obtain work visas for legal residency. Obviously, the overwhelming majority of

immigrants were legal because there were no obstacles.

Mexican immigrants quickly spread across most of the United States. Nearly three out of every four resided in the Southwest—Texas, California, New Mexico, Arizona, and Colorado. Mexican immigrants became sharecroppers in Texas, California, and Louisiana. They harvested sugar beets in Montana and Minnesota. Mexican Americans laid railroad tracks in Nebraska and Kansas. They mined coal in Utah and Oklahoma. They became meat-packers in Chicago and Omaha. They assembled automobiles in Detroit. In conclusion, Mexican immigrants sought and found work wherever and however it was needed.

By 1930, there were 1.42 million people of Mexican descent living in the country according to the U.S. Census.⁴ More than half (805,535) were born in the United States and, thus, American citizens. That amount was up from 700,541 in 1920.

In 1929, the New York stock market crashed. It is not surprising, that this economic collapse resulted in gatekeepers tightening visa rules. This basically reduced legal immigration to a trickle. Federal immigration officials also began caucusing about what to do with those already in the country. Soon public policy shifted to forcing Mexican Americans to leave. During President Hoover's administration, the federal and local governments failed to distinguish between people of Mexican ancestry who had entered the nation legally and those who had not. Naturally, this created a very hostile environment.⁵

Immigration officials justified their actions claiming that the deportations lawfully focused on illegal immigrants while the exodus of legal residents was "voluntary." Nevertheless, American citizens of Mexican ancestry were subject to various forms of harassment, intimidation, and violence. There was a racist campaign that included raids, jobs withheld, public aid threatened, and forced departures.

The federal government put on well-publicized raids in public places. On February 26, 1931, they closed off *La Placita* Square in Los Angeles and questioned about four hundred people on their legal status.

⁴ This figure did not include New Mexicans who called themselves Spanish-Americans.

⁵ Francisco Balderrama and Raymond Rodriguez. *Decade of Betrayal: Mexican Repatriation in the 1930s* (Albuquerque: University of New Mexico

The raids created a climate of terror, mistrust and unease, triggering many Mexicans to leave voluntarily. Walter Carr, Los Angeles District Director of Immigration, in a June 1931 memo, wrote "thousands upon thousands of Mexican aliens [have been] literally scared out of Southern California."⁶ According to Harry Yeager, an immigrant inspector in November of 1932, some Mexican Americans left hospitals and needed medical care on their rushed trip back to Mexico.

We now turn to examine the key differences between the concepts of race and ethnicity.

Race and Ethnicity

Race is based on shared or perceived physical similarities such as skin color and hair texture. Ethnicity is based on shared or perceived cultural features such as language, religion or culture of origin. Ethnicity is based on shared genealogy, whether actual or presumed.⁷ Generally, if people believe they descend from a particular group, and they want to be associated with that group, then they are in fact members of that group. Racial categories presume a shared genealogy, although this is not always the case. In reality, races share multiple genealogies with significant crossover. In addition to shared cultural traits, ethnicity suggests a shared group history. Some ethnic groups share linguistic or religious qualities, while others share a common group history but not a common language or religion. Race supposes shared biological or genetic traits; these may be actual or simply proclaimed. Scientific measures of race are remarkably problematic to verify. Consequently, racial categories are not defined by scientists, but rather by governments.

An ethnic group is a population of human beings whose members identify with each other, on the basis of a real or a presumed shared identity. Race, in contrast, refers to dividing people into groups on the basis of physical characteristics. The political ideology of ethnic nationalism was developed in 19th century, particularly in Europe. This

⁶ Wendy Koch. 2006. "U.S. Urged to Apologize for 1930s Deportations." *USA Today*, April 5, 2006, 1-2A.

⁷ "Ethnicity vs. Race," http://www.diffen.com/difference/Ethnicity_vs_Race (accessed December 23, 2010).

resulted in the creation of countries based on presumed shared ethnic origins (e.g., France, Spain, Denmark). Also in 19th century, the nationalism was often used to justify the domination of one race over another within a specific nation. In the last half of the 20th century in the U.S. and in most developed nations, national laws as well as the official ideology outlawed ethnic-based discrimination. In last decades of the 20th century, both the legal system and official ideology focused on racial equality.

Clearly, brutal conflicts between ethnic groups have taken place throughout history and across the globe. Most ethnic groups, however, lived peacefully within one another in most countries most of the time. Ethnocentrism, institutional discrimination, and racial prejudice against ethnic minorities remain a continuing problem throughout the world—to wit, Latinos in the United States. Although there are fewer race-based conflicts in the 21st century than in the past, class conflict appears to be exasperating.

Ethnic groups distinguish themselves differently from one era to another. In the United States, Latinos seek to define themselves by language, religion, country of origin, cuisine, fashion, etc. However, politically, socially, and economically dominant groups (e.g., mass media) also define Latinos by employing stereotypes, racial prejudice, and ethnocentrism. Most people assume that they can distinguish races by skin color, facial type, hair texture, etc. Nevertheless, the scientific basis of racial distinctions is exceedingly unconvincing. Most scientific studies show many changes in racial identity over time, and crossover traits among races. In short, racial categories are social constructions, not scientifically distinct categories.

In the next section, implications for social policy are discussed.

A Composite Framework for Immigration Policy

Immigration policy should be multidimensional and include provisions in the following three areas: 1) border security to mitigate illegal entry by immigrants or potential terrorists; 2) economic considerations to assist with supply labor for industries such as agriculture, construction,

childcare, housekeeping, landscaping and lawn care, meat and poultry processing, restaurant, etc.; and 3) social justice and humanistic considerations to protect the rights of immigrants, including family unification.⁸

If President Obama is to propose immigration legislation, he now must deal with a Republican-dominated House of Representatives. He faces a dilemma of doing nothing or releasing a divisive political debate in the most severe economic downturn since the Great Depression of the 1930s. During his 2008 presidential campaign, Obama promised Latinos that, if elected, he would propose a comprehensive immigration reform during the first year of his presidency. This did not come to pass. Now several years later, he risks alienating his strong Latino constituency if he does not deliver on immigration reform and provide a path to citizenship or, at least, permanent legal status for undocumented immigrants.⁹

Despite vowing to seek immigration reform, Obama has not given any details, choosing instead to summon a task force to "study the issue." President Obama reiterated his commitment to immigration reform at the North American summit in Guadalajara, Mexico in 2009. Still his expectations that Congress draft an immigration bill in 2009 and pass it in 2010 did not occur. The U.S. economy is still in recession. Unemployment is rising. There are other pressing domestic issues (finance, energy, and Republicans threatening to repeal recent health care legislation).

It is not surprising that Congress has yet to pass comprehensive legislation on immigration. Currently, the Obama administration is staying busy monitoring British Petroleum's cleanup of the tragic oil spill in the Gulf of Mexico, the war in Afghanistan, federal bailouts and working to ensure the American economy does not fail by trying to create jobs for the large segment of unemployed. Even so, the issue of

⁸ James F. Hollifield, "American Immigration Policy and Politics: An Enduring Controversy," in *Developments in American Politics*, Edited by Gillian Peel, Christopher J. Bailey, Bruce Cain and B. Guy Peters (New York: Palgrave Macmillan, 2010, 257-281).

⁹ Nevertheless, Obama probably bought some time, politically speaking, with Latinos by successfully nominating the first Latina, Judge Sonia Sotomayor, for a seat on the U.S. Supreme Court.

immigration is still in the public eye, especially in Texas, California, and Arizona.

Obama issued an executive order to make immigration enforcement less capricious and more compassionate. The highly detested work site raids carried out in the last years of the George W. Bush administration have ceased. Janet Napolitano, Secretary of Homeland Security and former governor of Arizona, has deemed immigration control and border enforcement high priority items for the Obama administration. Napolitano has shifted the focus of immigration enforcement from arresting and detaining illegal immigrant workers to fining and prosecuting their employers.

There is an estimated 12 million undocumented immigrants in the U.S.¹⁰ With such large numbers, illegal immigration remains at the vanguard of public and political debate. Since 2003, however, there have been more pressing issues. The Bush Administration was preoccupied with war in Iraq and Afghanistan, responses to natural disasters and financial meltdowns and economic follies.

The Justice Department under the Obama administration has successfully sued the state of Arizona over its controversial new law (SB-1070) intended to curb illegal immigration. The bill was scheduled to go into effect in late July 2010. However, a judge deemed that the most important parts were unconstitutional and blocked it. Over 100 Democrats signed a letter to President Obama reminding him of his plans for immigration reform.¹¹ While the Obama administration has not moved on immigration reform, SB-1070 has caused it to take defensive measures and to support equal rights under the law for Latinos.

The United States, like many other democracies, is ensnared in a "liberal" paradox. In order to maintain economic competitiveness, the U.S. must keep its economy open to trade, foreign investment, and immigration. Immigration, however, involves greater political and economic risks. This inconsistency highlights some of the risks and disagreements in our immigration policy. Like any nation, it is important

¹⁰ Stephen Ohlemacher. "Number of Illegal Immigrants Hits 12M," <http://www.breitbart.com/article.php?id=D8G6U2ko8%22> (accessed December 25, 2010).

¹¹ Marcelo Ballvé, "Over 100 Democrats Push Obama on Health Reform." *La Prensa San Diego* (October 30, 2009).

for the United States to maintain control of its borders (for political and legal reasons). Otherwise, the government risks chipping away at the social contract and rule of law, cheapening citizenship, and deepening the political and social divide. The major goal is to maintain openness while at the same time protecting the rights of citizens as well as all residents.

In the 21st century, managing immigration is a key function of the modern state that must make strategic choices about how many immigrants to accept, from where, and with what status. Immigration to the United States has been increasing from the end of World War II until the recession of 2008. In 2009, the foreign population reached 36 million (14 percent of the total population). The rise in immigration is a function of market forces (demand-pull and supply-push) and kinship (family) networks, which reduce the transactions costs of immigration.

Economic and social forces are the necessary conditions for immigration to occur, but the sufficient conditions are legal and political. The U.S. must be willing to accept immigration and to grant rights to outsiders. We are trapped in a contradiction. We desperately need to reform immigration in the wake of economic forces that thrust us toward greater openness, while security anxieties and forceful political forces drive us toward shutting down our borders.

Historically United States immigration policy has been motivated by examples from three different states: Massachusetts, Virginia, and Pennsylvania. The Massachusetts model centers on national identity and cultural and ideological solidity (the *Unum* in *E Pluribus Unum*). This dimension was due to the fact that it was a white Anglo-Saxon Protestant hegemony that originally developed the United States. This dominant group typically did not trust or accept members of out groups (such as Asians, Africans, former black slaves, Latinos, and Southern or Eastern Europeans). Thus, the question became: How much diversity (*pluribus*) is acceptable? Implications from a social justice model are that policy-makers do not place limits on diverse populations of immigrants such as Latinos.

The Virginia model is preoccupied with the need for adequate supplies of labor and human capital in a dynamic and fast-growing economy. This is necessary to be competitive in the ever-increasing competitiveness of the global market. Of course, this model would favor

the immigration of Latinos. The Pennsylvania model is open to diversity, tolerant of differences, but stresses respect for the values and ideals of the State. These three concepts are at the center of any meaningful discussion on immigration.

Transformation in the Twenty-First Century

"The dream will not die."

-- Manuel Guerra, 26-year-old Mexican immigrant

There has been a stark absence of religious vision in the formulation and implementation of immigration policy. For a country that has been founded on Christian ideals, there is a glaring lack of such ideals in any discussion of immigrants. Take, for example, the D.R.E.A.M. Act.

The U.S. Senate refused to pass the immigration bill known as the Dream Act in mid-December, 2010. Hence, all undocumented young people in the U.S. found themselves on the "wrong" side of the nation's contentious political divide. The Democrat-led "lame duck" House passed it in December 2010. However, it failed to get the 60 votes it needed in the Senate, falling 55-41. Only three Republicans voted in favor of it.

Undocumented young people, who were brought to the U.S. before they were 16 years old and have graduated high school in the U.S. and their supporters, have been attempting for several years to lobby Congress to carve a path for them to become legal residents and, eventually, citizens. Their effort to ratify the bill increased after the 2008 election of President Obama, who has backed the bill. The D.R.E.A.M. (Development, Relief and Education for Alien Minors) Act would allow such individuals, up to 29 years old, to qualify for legal status if they served two years in the military or finished two years of college.

The bill would cover at least two million undocumented people (called "dreamers") nationwide.¹² However, less than half would

¹² John Lantigua. "Dream Act's Immigrant Supporters Awaken to Loss, But Vow to Press GOP for Path to Citizenship," <http://www.palmbeachpost.com/news/state/dream-acts-immigrant-supporters-awaken-to-loss-but-1145108.html?showComments=true> (accessed December 24, 2010).

eventually fulfill the requirements, according to estimates. Texas is one state (along with California, New York, and Florida) that has a large share of people affected. The "dreamers" are more American than foreign; they have lived most of their lives and have been educated in the U.S. But without legal status, they say, they have little chance of fulfilling their potential and leading productive lives in this country. It is evident that the passage of this Act is necessary for a fruitful transformation in the twenty-first century that allows the full development of human capital that will not only benefit the "dreamers" but society at large as it reaps the benefits of such productive workers, scholars, and soldiers.

Military leaders support the Dream Act; obviously the bill would increase their recruitment pool. Many people in higher education also support it. Yet, conservative Republicans have taken a hard line against immigrants. Now many more of them have taken seats in the new Congress in January 2011. This translates as "dreamers" having an even more difficult time getting the bill passed. But despite two defeats in the Senate in recent years, "dreamers" are not throwing in the towel.

It is evident that bi-partisan effort and cooperation is necessary if the DREAM Act is to be passed; Democrats cannot do it alone. It needs the support of Republicans who may not necessarily be interested in attaining social justice. The payoff is self-interest: how the passage of the Dream Act could benefit Republicans politically or financially. Policy makers should view "dreamers" as an investment with a payoff where the sky is the limit. Latinos also have potential political clout with their rapidly growing numbers of voters. Anti-immigrant policymakers and candidates do well to view them as a likely threat to their careers. A revised Dream Act will eventually be introduced again. Revisions may include increasing border security. Clergy from around the nation, especially in Texas, vow to continue pushing for passage of the DREAM Act.

There is a current movement that children born in the United States by undocumented parents should not receive citizenship. This is a direct rebuttal to the Fourteenth Amendment, especially the "equal protection under the law" clause. The federal court decision blocking key provisions of Arizona's immigration law from taking effect has

stimulated some policymakers to take an extremist approach to alleviating illegal immigration. Lawmakers have been considering a proposal to bar U.S.-born children of illegal immigrants from becoming U.S. citizens. Such a move, which has been mocked by legal scholars, would be a radical reinterpretation of the U.S. Constitution's 14th Amendment.

Those supporting the move, however, believe it takes away a major inducement enticing undocumented migrants to cross the border. Now that Arizona law enforcement officers are prohibited from checking immigration status, the denial of "birthright citizenship" may be back on the table. The movement appears to rest on changing a system that does not reward people for cheating.

This could be done via a change in U.S. or state law or the introduction of a new constitutional amendment. Success in a new constitutional amendment is unlikely. It requires a two-thirds vote in both chambers of Congress as well as passage by three-fourths (38) states. Even if this occurred, there would surely be a court challenge on the intent of the measure.

Parents would have to wait twenty-one years before their children could sponsor them for legal residency. Changing the rules for citizenship would fundamentally alter the underpinnings of the United States. This is what makes the U.S. unique—a guiding light for immigrants. And immigrants have made the U.S. a superpower. Let us not forget that Barack Obama is the son of an immigrant.

In April 2009 former Georgia Representative Nathan Deal introduced a bill: "birthright citizenship" as prescribed in the 14th Amendment applies only if one of the child's parents is a U.S. citizen or national, or a legal immigrant. This proposed law has languished in the House of Representatives since last 2009, though it currently lists 92 co-sponsors.¹³

¹³ Lawmakers Consider Ending Citizenship for Children of Illegal Immigrants
<http://www.foxnews.com/politics/2010/07/29/lawmakers-consider-ending-citizenship-children-illegal-immigrants/> (accessed December 25, 2010).

Conclusion

Equal protection under the law is guaranteed by the Fourteenth Amendment. It was designed to protect ethnic minorities. The social construction of race and the politically charged issue of immigration are set within the historical context of the Treaty of *Guadalupe Hidalgo*. The rights guaranteed to Mexicans living north of the Rio Grande at the end of the Mexican-American War are contrasted with proposed immigration policy such as Arizona's anti-immigrant law, SB-1070, the attack on "birthright citizenship, and the D.R.E.A.M Act.

Legal scholars have lambasted conservative attacks on "birthright citizenship." Religious leaders across the country are instrumental in supporting immigrant rights and denouncing moves that discriminate against immigrants and even Latino citizens. Clergy are necessary to continue pushing for bills that will transform the U.S. into a model for social justice and an economic elite of the twenty-first century.

Resumen

Cortese nos presenta un análisis socio-político e histórica de los factores que influyen en la migración de personas de Latinoamérica, pero en especial de México a los Estados Unidos. Estos factores incluyen la proximidad geográfica, los nexos familiares, los acuerdos y tratados políticos que han sido establecidos por ambas naciones, y los factores económicos que incluyen las rutas comerciales y las transacciones de compañías transnacionales que ocurren entre ambos países y como estos aspectos promueven y fomentan la migración de mexicanos hacia el norte. De la misma manera, el artículo presenta las reacciones históricas e ideológicas de los Estados Unidos con respecto a los inmigrantes de México y de otros países, ayudándonos a ver ciertos patrones de conducta y actitud basadas en percepciones étnicas, raciales, y culturales las cuales son un resultado de una construcción social. Como parte de este análisis, el artículo incluye las discusiones políticas y las posiciones de la administración del Presidente Barack Obama, y finalmente expone los puntos a favor y en contra de la propuesta de legislación llamada "Dream Act" para luego invitar y desafiar a las comunidades de fe a participar a favor y en apoyo a esta propuesta, que lamentablemente no fue aprobada por el Senado de los Estados Unidos.

Latin American Immigration: A Moral and Theological Debate

S. Vance Goodman

Well, to start, the first time my husband, Cesar, went from Bolivia to the United States was in June of 2000. He did not encounter any work, and this was how my solitude, sadness and the suffering of Miriana and I began. At the end of this year, Cesar began his paperwork for immigration but he had to pay the lawyer something like \$1500 to even begin. He did not have the money so he had to wait for a change in the administration. Seems they change the rules all the time for immigrants and applications and this postpones things. During this time my daughter and I were learning how to cope with the separation from the person we love, and the pain that we had would not leave us for nothing. My daughter asked about her father who was no longer with her. When he left, she was only 2 years and 6 months old...¹

Immigration begins with a story; it begins with a human being and a family. Motivated for different reasons, these human beings and families traveling from one place to another have become a heated issue of debate and one that is politically polarizing. In the United States, there are citizens and political leaders who are against immigration completely, fearful of the changing demographic in society and culture. There are those who support it, fearful of the status quo and who welcome the sojourner. This is a moral dilemma. As Christians, how are we called to respond? In this article, I focus on the immigration from Latin America into the United States. I present the issue of immigration as a moral and theological issue and conclude with where theology enters the debate to answer, or help to answer, the polarizing ethical dilemma.

¹ Jaquelin Maldonado Velasquez's story. Jaqui is a dear friend of mine who I met in Bolivia. After requesting to know her story, she relayed her narrative to me through an email on February 13th, 2010. The original email was written in Spanish and was translated to English for purposes of this paper on April 20, 2010.

In examining the ethical perspectives surrounding the United States refugee policy “the discussion is framed by the polarities of humanitarianism and national interest.”² These interests overlap and intersect. Where humanitarian interest requires compassionate and helpful responses to the needs of immigrants by individuals, public policy and the government, national interest claims territorial sovereignty and the right to maintain and control national boundaries. Humanitarianism seeks to uphold the interests of refugees and immigrants, using national interest to protect the basic human rights of all individuals. From a moral standpoint, humanitarians would argue that, “it is morally required that states will protect such rights, especially the right to life and to protection from bodily harm.”³ National interest proponents do not starkly disagree with humanitarianism and its interests, but they believe that humanitarian norms are hardly realistic in a world of policy. Christians recognize both the humanitarian and the national interest groups: “we recognize that immigrants are people made in God’s image who should be treated with respect; at the same time, we believe God has instituted the government and laws that it puts into place for a reason.”⁴ The issue of immigration policy is caught between the two permeable polarities of humanitarian interest and national interest, and both concerns inform how one views immigration.

Immigration is a central concern to many documented citizens of the United States, but immigration itself did not begin as the initial problem. According to a statement produced by the Council on Foreign Relations concerning U.S. Immigration Policy in 2009:

“The United States has been absorbing close to one million new legal immigrants and until recently as many as five hundred thousand more illegal immigrants each year... Immigration to the United States is large by any

² Dana Wilbanks, “The Moral Debate between Humanitarianism and National Interest about US Refugee Policy: A Theological Perspective,” *Migration World*, Vol. 21, No. 5 (New York: Center for Migration Studies), 15.

³ Ibid, 16.

⁴ Matthew Soerens and Jenny Hwang, *Welcoming the Stranger: Justice, Compassion and Truth in the Immigration Debate* (Downers Grove, IL: InterVarsity Press, 2009), 13.

measure, but it is important to keep the figures in perspective. As a proportion of the population, the number of immigrants in the United States is close to that of other, advanced countries.”⁵

If immigration is relatively proportional with other developed countries, then why has illegal immigration become such a common phenomenon? In the United States, the issue of immigration has become a problem because of ineffective immigration policies and a system that is inefficient. Undocumented persons do not choose their status as “illegal aliens” in order to evade tax laws or to be a drain on public emergency healthcare and public education. Most come to the United States seeking refuge or the “American dream” in order to save their families from strife in their countries of origin. Cristina Mejia, a native Bolivian, describes the reason her father left the family to immigrate: “it was very expensive for us but my daddy went to look for work because of the instability of the economy. There was a great risk that he may not get through, but we had illusions of a better future.”⁶ Although encouraging immigrants to stand in line to receive legal status is admirable, the reality is that the United States immigration policies are not efficient enough to process and accept all those wishing to cross the border.

The policies developed by the U.S. Citizenship and Immigration Services have backlogged many of the nation’s immigration courts. “The nation’s immigration courts are now so clogged that nearly 90,000 people accused of being in the United States illegally waited at least two years for a judge to decide whether they must leave, one of the last bottlenecks in a push to more strictly enforce immigration laws.”⁷ Immigrants want to

⁵ Independent Task Force Report No. 63: U.S. Immigration Policy, Jen Bush and Thomas F. McLarty III, chairs; Edward Alden, project director (New York: Council of Foreign Relations, 2009), 10.

⁶ Cristina Mejia’s story. Cristina’s father left during my stay in Bolivia. We became good friends and she graciously relayed her narrative to me through an email on February 15th, 2010. The original email was written in Spanish and was translated to English for purposes of this paper on April 22, 2010.

⁷ Brad Heath, “Immigration Courts Face Huge Backlog,” *USA Today*, March 29, 2009, accessed April 24th, 2010 from <http://www.usatoday.com/news/nation/2009-03-29-immigcourt_N.htm>.#

have legal status as residents in the United States, but the system has made it incredibly difficult. Amy Spaur, an advocate and employee with Justice for our Neighbors, discussed the frustration of many of her Hispanic clients who have been waiting years and years for a phone call from a lawyer.⁸ It is because of the number of people wishing to come into the United States and because of the terribly inefficient process to obtain legal status through the immigration courts that many well-meaning Latino(a)s find themselves as undocumented immigrants living inside American territory.

There are unprecedented numbers of illegal immigrants entering the border through the southern part of the United States; "an estimated 11 to 12 million people with no valid immigration status living and, usually, working in the United States."⁹ According to the Pew Hispanic Center, undocumented persons account for approximately one third of all the foreign-born population living in the United States.¹⁰ Additionally, "about three-quarters (76%) of the nation's unauthorized immigrants are Hispanic. The majority of undocumented immigrants (59%) are from Mexico."¹¹ Immigration into the United States, relatively proportional to other countries, is not the problem; it is the undocumented and illegal millions, mostly from Latin America, who seem to pose a threat to legal citizens and residents in the United States. Immigration itself is central to foreign policy and international relations but fear is rooted in the effects that the presence of undocumented immigrants in the United States have on the economy, national security, and core American values.

⁸ Amy Spaur, from Justice for our Neighbors, a division of the United Methodist Committee on Relief, works toward immigration reform and justice for immigrants (Dallas, TX: Perkins School of Theology, CHAP discussion, February 23, 2010).

⁹ Soerens, 12.

¹⁰ Jeffrey S. Passel, "Growing Share of Immigrants Choosing Naturalization" (Washington, DC: Pew Hispanic Center, March 28, 2007) accessed April 22, 2010 from <<http://pewhispanic.org/reports/report.php?ReportID=74>>.

¹¹ Jeffrey S. Passel and D'Vera Cohn, "A Portrait of Unauthorized Immigrants in the United States" (Washington, DC: Pew Hispanic Center, April 14, 2009) accessed April 22, 2010 from <<http://pewhispanic.org/reports/report.php?ReportID=107>>.

Immigration Issues: The Economy

Immigration certainly has a marked effect on the economy. In the current economic downturn, citizens of the United States are experiencing times when budgets are tight and worries about finances are evident. These fears are exacerbated when coupled with the fact that undocumented immigrants are living and working alongside documented residents and citizens. Expressed in a flier for candidates in a local city council election in Carpentersville, Illinois these questions document the fear:

Are you tired of waiting to pay for your groceries while
Illegal Aliens pay with food stamps and then go outside
and get in a \$40,000 car?
Are you tired of paying taxes when Illegal Aliens pay
NONE!

Many people wonder how their lives are economically affected by illegal immigration. In his book, *Alien Nation*, Peter Brimelow inquires, "Is immigration actually necessary for economic growth?"¹² He describes the United States citizen as being happy to pay to have the lawn mowed by an undocumented immigrant. In turn, the immigrant is happy to have an income by mowing lawns. Brimelow concludes that, "American economists have made very little effort to measure the overall economic benefits of immigration. But the answer seems to be clear: immigration doesn't contribute that much to economic growth."¹³ Despite inconclusive evidence surrounding the harm that immigration has on the economy, the fear that undocumented persons are taking jobs and demanding public services remains a valid concern for many citizens.¹⁴

¹² Peter Brimelow, *Alien Nation: Common Sense About America's Immigration Disaster* (New York: Random House, 1995), 157.

¹³ Ibid, 160.

¹⁴ Kevin F. McCarthy and Georges Vernez, "Benefits and Costs of Immigration," in *The Debate in the United States over Immigration*, Peter Duignan and L.H. Gann, eds. (Stanford, CA: Hoover Institution Press, 1998), 61.

Immigration does entail costs. Simply because the majority of Latino(a) immigrants seek cheap labor in sectors such as housecleaning, as nursemaids, laborers and gardeners, immigration is pitted against the low-skilled working class. Not only are the lower classes affected, because "immigrants also hurt the middle class by lowering wages. An increase in the labor supply tends to lower wages, but a shortage of workers raises wages."¹⁵ Immigration is seen as positive only for the elite, upper class. Migrant labor has been largely responsible for the growing economic inequality in the United States,¹⁶ and the growing divide between rich and poor. In *The New Case Against Immigration*, Mark Krikorian explains the economic facet of the immigration conflict. He states,

Immigration floods the job market with low-skilled workers, creating what economists call a slack, or loose, labor market...while immigration certainly increases the overall size of our economy, it subverts the widely shared economic goals of a modern society: a large middle class open to all, working in high-wage, knowledge-intensive, and capital-intensive jobs exhibiting growing labor productivity and avoiding too skewed a distribution of income.¹⁷

Citizens of the United States are becoming more and more concerned about securing jobs and public services for themselves and their families, and immigrants pose a threat to that security.

¹⁵ Peter Duignan and L.H. Gann, "Introduction," *The Debate in the United States over Immigration*, 35.#

¹⁶ Roy Beck, *The Case Against Immigration: The Moral, Economic, Social and Environmental Reasons for Reducing U.S. Immigration Back to Traditional Levels* (New York: W.W. Norton, 1996), 246.

¹⁷ Mark Krikorian, *The New Case Against Immigration: Both Legal and Illegal* (New York: Penguin Group, 2008), 133.#

Another stage in my life began – It was a very difficult time for my family. My father, who basically took care of the family, lost his job, and my mother who worked as a Christian education teacher received little pay. We had a debt owed to the bank that we couldn't pay. Everything that my family earned went to cover basic costs of living. My parents began to get sick because of the preoccupation and on top of all that, things in Bolivia began to change politically. There was incredible social tension and the economy was no better. I think that the greatest moment in all this was when I received the news that I had been given the opportunity to work in the United States.¹⁸

When the real-life stories are relayed, one can no longer view immigrants as vindictive or wanting to take the jobs and security of United States' citizens. Many are given opportunities here that they would not be given otherwise. The labor needs of the United States are enormous: "this huge economy, surpassing 10 trillion dollars of GDP in 2000, generates a vast demand for foreign labor at both the high-end professional and technical occupations and the low-end of the low-paid manual jobs."¹⁹ Contrary to common belief, Hugh Morton explains, "Illegal immigrants have actually replaced few qualified American workers. In most cases, they supplemented American workers and provided the labor for an expanding housing market."²⁰ In the research resources that support robust migration from one country to another, immigration is seen to alleviate the economic and social pressure that mounts as a

¹⁸ Nataly Negrete's story. Nataly was my greatest friend while I lived in Bolivia. She currently lives and works in Houston, TX at St. Paul United Methodist Church. She relayed her narrative to me through an email on March 15th, 2010.

¹⁹ Alejandro Portes, "The New Latin Nation: Immigration and the Hispanic Population of the United States," in *A Companion to Latino Studies*, Juan Flores and Renato Rosaldo, eds. (Malden, MA: Blackwell Publishing, 2007), 15.

²⁰ Hugh Morton, "Housing Short-Handed Without Immigrant Workers," *Nation's Building News Online*, July 31, 2006, accessed April 24, 2010 at www.nahb.org/news_details.aspx?newsID=3010.

growing number of citizens retire and are supported by a smaller working-age population. Immigration has helped build the U.S. economy and it is not foreseen to stop this trend of supporting economic structures.

In light of the debate surrounding economic concerns and immigration, what is the Christian response? Although some economists have found that immigration hurts the working classes, "most economists agree that immigration is a net good for the U.S. economy, and immigrants also benefit our society in other ways."²¹ Christians must look beyond the market because although economic security is important in a global economic system, financial gain is hardly reconcilable with the message in Scripture. Our faith does not lead us to agree with illegal entry into the border, but it does lead us to desire a more generous and welcoming policy to the sojourner. In a speech delivered by Cardinal Roger Mahoney, Archbishop of Los Angeles, he describes the necessity for understanding the parallel between God's resources and the economy.²² Using the root word in Greek for "economy," he explains how *oikonomia* depicts the "full flourishing of everyone who is a part of God's economy, household or community." As Christians, we are called to invite and welcome everyone into the household of God, into God's economy. "There are no prior commitments," Mahoney continues in his address, "that can overrule, or trump, this biblical tradition of compassion for the stranger, the alien, and the worker."²³

Immigration Issues: National Security

Although not directly aimed at the Latino(a) community, since the wake of the terrorist attacks of September 11, 2001, the United States has had to face the fact that a generous immigration and refugee policy could be a potential threat to national security. Written before these

²¹ Soerens, 136.

²² Roger M. Mahoney, "The Challenge of 'We the People' in a Post-9/11 World: Immigration, the American Economy and the Constitution" (Philadelphia, PA: The Fifth Annual John M. Templeton, Jr. Lecture on the Constitution and Economic Liberty, May 8, 2007), accessed April 24, 2010 at <http://www.la-archdiocese.org/news/pdf/news_884_TempletonFinalMay_8_07%20_2_.pdf>.

²³ Ibid.

attacks, Peter Brimelow recognized this threat: "All over the world in the twentieth century, nations and nation-states have been under intense attack. And to the attackers, immigration is a potential ally."²⁴ If there is easy access to border crossing then there is easy access to crossing the rights of those who claim citizenship inside of that border. There is a very real fear that, "by creating large, constantly refreshed immigrant communities, mass immigration provides enemy operatives with the sea within which they can swim as fish."²⁵ No longer able to trust anyone after having been attacked, the citizens of the United States respond with fear and strengthened national security measures.

The issue of immigration is surrounded by xenophobia, a word that is defined as "an unreasonable fear or hatred of foreigners or strangers, or of that which is foreign or strange."²⁶ This concept of xenophobia is not a new phenomenon. Even as early as the first great European Wave of immigration in 1820-1860, xenophobia was present in the immigration movement. During this time, the German and Irish immigrants from Europe were primarily Roman Catholics, and because of this, many Protestant church leaders held an anti-immigrant sentiment, explaining that Catholicism represented "an invading enemy, audaciously conspiring."²⁷ Today this sentiment is no less prevalent. According to *Intelligence Report* in the Spring of 2009, "As in recent years, hate groups were animated by the national immigration debate."²⁸ The extreme fear of some people can cause them to outwardly express their fear in violence and in the formation of hate groups against the people with whom they are unfamiliar. Javier Mirones expresses the racism he feels as an immigrant, "Where I am, there is a lot of racial hate. Some of the people are not good to immigrants. When some find out I am from

²⁴ Brimelow, 222.

²⁵ Krikorian, 93.

²⁶ Definition from the Random House Dictionary (Random House, Inc., 2010).

²⁷ Soerens, 51.

²⁸ David Holthouse, "The Year in Hate, 2008," *Intelligence Report, Spring 2009, Issue Number 133*, accessed on April 24, 2010 from <<http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2009/spring/the-year-in-hate>>.#

another place, they become very racist against me.”²⁹ Xenophobia can drive people to hurt others. In most cases, xenophobia causes people to tighten their own measure of security.

The link between immigration policy and national security resulted, and was institutionalized, with the creation of the U.S. Department of Homeland Security (DHS) in 2003.³⁰ The Task Force of the Council on Foreign Relations identifies the DHS as enabled to protect the United States from terrorist attacks but that the bulk of their work is dedicated to trade facilitation, immigration and border control.

The Task Force finds that border and immigration measures, used in a targeted and focused way, can help make the United States less vulnerable to another attack. However, if those same measures keep out talented immigrants or significantly disrupt legitimate cross-border travel or commerce, the long-term foundations of America’s economy and military strength, and consequently its security, will be weakened.³¹

There is a balance that needs to be found between keeping the legitimate threat out and welcoming the honest sojourner seeking work or refuge into a more opportune and safe country.

Despite common sentiments that immigrants threaten national security, “the bulk of immigrants are law abiding, and more than 80 percent are employed.”³² Between 1991 and 2007, enforcement of federal immigration laws became a growing priority in response to undocumented immigration.³³ With the risk of deportation always

²⁹ Javier Mirones Cesar’s story. Javier is Cristina Mejia’s father from Bolivia who explained his first-hand experience with immigration to me through email correspondence on February 14th, 2010. The original email was written in Spanish and was translated to English for purposes of this paper on April 24th, 2010..

³⁰ Independent Task Force Report, 21.

³¹ Ibid.

³² Duignan, 28.

³³ Mark Hugo Lopez and Michael T. Light, “A Rising Share: Hispanics and Federal Crime,” (Washington, DC: Pew Hispanic Center, February 18, 2009) accessed April 24, 2010 from <<http://pewhispanic.org/reports/report.php?ReportID=104>>.

lurking, many of the undocumented residents of the United States are extra careful about obeying the laws. At a Dallas Area Interfaith rally where hundreds of Latino(a) Catholics and Protestants gathered to discuss the possibilities offered to them through working for Comprehensive Immigration Reform, story after story was told about the respect these people have for police officers. Some are afraid to drive for fear of getting stopped, checked for identification and subsequently deported. Many express concerns about gathering in neighborhood public areas and some women have declared that they stay inside their homes.³⁴ Aurora Camacho de Schmidt describes the situation of most Latino(a) immigrants: "Those who fear immigration, on the other hand, must realize that the injustice embodied in each human being who is forced to leave his or her home and survive" is paralleled to the homeless, jobless, hungry, uneducated, sick and neglected citizens of the United States.³⁵

Concerning the debate of national security and immigration, how should a Christian respond? Historian Lawrence B. Davis, examining the history of Protestant belief surrounding immigration, explains that an evolution in attitude occurs when personal acquaintance happens. "One might speak disparagingly of foreigners in the abstract, but would regard them as brothers upon personal confrontation."³⁶ Immigration involves a real story, real people and real families; knowing these real stories can reduce the fear. Christians are called to view all people as God's children, made in the image of God. "The Church, long active in the world of migrants, contributes to the debate from its specific angle of 'expert in humanity:' the human person must remain the priority at all times."³⁷ While taking precautions to protect our nation, it

³⁴ Dallas Area Interfaith Rally, *Immigration Meeting* (Dallas, TX: San Juan Diego Catholic Church, February 18th, 2010).

³⁵ Aurora Camacho de Schmidt, "Mi Casa No Es Su Casa," in *Moral Issues and the Christian Response, 6th Edition*, Paul T. Jersild and Dale A. Johnson, eds. (Fort Worth, TX: Harcourt Brace College Publishers, 1998), 197.

³⁶ Lawrence B. Davis, *Immigrants, Baptists and the Protestant Mind in America* (Urbana, IL: University of Illinois Press, 1973), 127-8.

³⁷ Silvano Tomasi, "Migration and Catholicism in a Global Context," in *Migration in a Global World: Concicium*, Solange Lefebvre and Luis Carlos Susin, eds. (London, UK: SCM Press, 2008), 14.

is simultaneously important that we protect each individual with whom we share a common identity as children of God.

Immigration Issues: Core United States Values

It cannot be denied that immigration has consequences, both cultural and social consequences. The United States, a melting pot from the beginning, will slowly lose its majority race and culture. The Census Bureau projects that by 2050, non-Hispanic whites will constitute only 50.1 percent of the population, with Hispanics (24.4 percent) outnumbering the black race (14.6).³⁸ These Latino(a) immigrants pose a challenge to the status quo. Peter Brimelow insists that the consequences are grave and that, "the culture of a country, exactly like its ecology, turns out to be a living thing, sensitive and even fragile. Neither can be easily intruded upon without consequences."³⁹ This is a fear based on a nativist perspective that Latino(a) immigrants cannot integrate, even if given the chance, and that they bring nothing of benefit in terms of cultural values to the United States. The "American dream" remains in the minds of many immigrants seeking work, refuge and a better future for their families, but many people are afraid that the changing demographics in society and culture are squelching the original definition of the "American dream."

Not only are the core values of our culture beginning to drastically change with the influx of immigrants, but their values as well must be compromised. In story after story Robert Suro details the changing lives of Latino(a)s in America. In his book *Strangers Among Us*, he describes the sacrifice people make to get here, the dangers along the journey and the challenges they face upon arrival.⁴⁰ These people are asked to integrate. Torn between two worlds: the world of their own culture and family history, and the world of United States culture and society, immigrants struggle not only to make ends meet but also to

³⁸ U.S. Census Bureau, "U.S. Interim Projections by Age, Sex, Race and Hispanic Origin: 2000-2050," accessed April 24, 2010 from <<http://www.census.gov/population/www/projections/usinterimproj/natprojt01a.pdf>>.

³⁹ Brimelow, 108.

⁴⁰ Roberto Suro, *Strangers Among Us: Latino Lives in a Changing America* (New York: Vintage Books, 1998).

juggle two identities. My friend Jaqui, who was finally able to reunite the family with her husband in the United States, explains, "We were finally able to reunite on the eighth of August in 2008. Even now it is difficult to become accustomed to everything again. For my daughter, it was a huge change and very hard for her to leave the country she knows and come to such a strange place."⁴¹ Moving away from familiarity, friends and the native culture is difficult enough, but in addition to that, there is the responsibility to integrate into the new culture, learn a new language and find a new family.

The values and demographics of the United States are changing, but the values of the immigrants have to change in order for them to assimilate. I have spoken with many Latino(a) youth from the congregation at Christ's Foundry United Methodist Church in Dallas, Texas. Many of them express frustration with those in their families who seem to want to hold on to the language and culture of their country of origin. Many speak a variation of "Spanglish" – Spanish in the home, English on the streets. I encourage them to embrace their heritage while also acknowledging the assets of the culture in the United States. I truly appreciate many of the things the Latino(a) culture has taught me: the value of family, of balance between hard work and rest, of community and celebration. Immigrants should not be given value solely based on their economic contributions to the country. "Immigrants add to the diversity of the United States."⁴² Aside from diversity, immigrants, especially those who have been through tough times in order to come to the United States, share testimonies that "allow us to glimpse into the reality of the world around us, and their sheer courage inspires us."⁴³ People from other countries remind us of what the "American dream" means. Immigrants remind native-born citizens of the United States what core values we should hold dear.

The manner in which the United States handles immigration will say a lot about American values. The Council of Foreign Relations Task Force admits that the immigration policy of the United States is an important part of its core values; it should reflect the belief that America

⁴¹ Jaqui Maldonado's story.

⁴² Soerens, 134.

⁴³ Ibid, 135.

still represents a beacon of hope.⁴⁴ The Task Force continues, "Americans have a right to determine who will come to live in this country, and to enforce those rules, but they also have a responsibility to treat those who may have violated those rules with respect and fairness."⁴⁵ As a country that upholds democracy and equality, it is important that these values not be diminished in the ensuing debate about immigration. The Declaration of Independence states the foundational virtues that make America great: "all men [people] are created equal and are endowed by their Creator with certain unalienable rights." Freedom and equality are core values that should not be lost in process and policy, but they should be highlighted in how the issue of immigration is handled.

In terms of core values and the immigration debate, what is the Christian response? Many of the core values reflected in the "American dream" and culture are values that come from Biblical and Christian teachings. "Indeed as Christians, we must be wary of valuing persons solely on the contributions they can make to our affluence."⁴⁶ God values diversity and works within diversity to bring people to understand one another as the body of Christ. This body is made up of different parts working together (I Cor. 12:12-31). Christians are called to respect this diversity, embracing it as part of the body of Christ. As Richard Mouw describes, "God intended from the beginning that human beings would 'fill the earth' with the processes, patterns and products of cultural formation."⁴⁷ There is great value in cultural diversity. It adds to our music and dance, our art and beauty, our food and drink and the ways in which we talk and act. As immigrants integrate into the American society they also bring invaluable talents, personalities and core values that would be missed without them.

⁴⁴ Pollster John Zogby summarized findings of many international opinions about the United States. A joint hearing, "Polling Data on Latin American Opinion of United States Policies, Values and People," summarizes more of this data, accessed on April 24, 2010 from <<http://foreignaffairs.house.gov/110/33824.pdf>>.

⁴⁵ Independent Task Force Report, 28.

⁴⁶ Soerens, 133.

⁴⁷ Richard Mouw, *When Kings Come Marching In* (Grand Rapids, MI: Eerdmans, 2002), 11.

Immigration Issues: Comprehensive Immigration Reform

Immigration is an eminent issue. I write this article in the wake of a decision by Arizona's Governor Jan Brewer, who signed a bill on April 23rd, 2010 that requires police in her state to determine whether a person is legally in the United States. This bill gives officers the right to inquire about the legal status of anyone who may look suspicious. Supporters agree that this bill will crack down on illegal entry into Arizona, but critics argue heavily that this will foster racial profiling.⁴⁸ President Obama's response to this action was a statement that labeled it "mis-guided" as he admitted that the national government needed to take action on the immigration issue. Barack Obama addressed the issue of immigration during his 2008 presidential campaign. On the campaign website it read:

Where we can reunite families, we should. Where we can bring in more foreign-born workers with the skills our economy needs, we should...The time to fix our broken immigration system is now. It is critical that as we embark on this enormous venture to update our immigration system, it is fully reflective of the powerful tradition of immigration in this country and fully reflective of our values and ideals.

The Comprehensive Immigration Reform (CIR), the roots which began under President George Bush in 2005, is a reform movement that is still being developed and one that is highly attractive. CIR focuses on a comprehensive plan that does not pinpoint one problem but goes to the root of the broken system and the reality of the undocumented population living within the United States.

The Comprehensive Immigration Reform plan is seen as the most plausible solution to the immigration crisis happening in our country. As described in *Welcoming the Stranger*, CIR is defined by four principles

⁴⁸ CNN Wire Staff, "Arizona Governor Signs Immigration Bill," accessed April 24th, 2010 from <<http://www.cnn.com/2010/POLITICS/04/23/obama.immigration/index.html>>.

taken collectively: 1) Border protection policies consistent with humanitarian values, 2) Reforms in family-based immigration to reduce backlogs, 3) Creation of legal avenues for workers and their families and 4) Earned legalization of undocumented immigrants.⁴⁹ On March 22, 2010 many members of Christ's Foundry United Methodist Church in Dallas, Texas traveled to Washington D.C. to join in the Immigration Reform March. I stood amongst those in the congregation who were unable to travel with their fellow congregants and watched the newscast during our worship service that Sunday. I felt the excitement mount and understood the optimism that this community has for the reform movement. A lay pastor, Lucy, stood and addressed the sparse congregation, "Normally I would be upset that so many seats are empty, but tonight I am excited because they are marching for us! They are marching for our freedom." It is evident that people of faith are beginning to "take up the cross" to work towards reform on the issue of immigration.

Conclusion: The Theological Response

"More than any other theme in the Bible," explained Pastor Owen Ross, "the issue of immigration comes up over and over in Scripture."⁵⁰ Throughout the Old and New Testaments, references to immigrants, aliens and strangers are repeated. In Leviticus 19 we are instructed to take care of the poor and the aliens, "When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born" (Lev. 19:33). The Biblical mandate to take special care of foreigners and oppressed people runs throughout all of Scripture. Jesus, oppressed and beaten himself, declares that he was called, "to bring good news to the poor. He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free" (Luke 4:18). Undocumented persons in our country are being oppressed and the appropriate Christian response is to help to set them free. As I stated above, we are called to represent the body of

⁴⁹ Soerens, 140-142.

⁵⁰ Owen Ross, pastor at Christ's Foundry United Methodist Church (Dallas, TX: Perkins School of Theology, CHAP discussion, February 23, 2010).

Christ and according to Galatians 3:28, "There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus."

Paired with the mandate to care for the alien and stranger among us is "God's injunction to the people of Israel to remember their own history. They knew how it felt to be strangers living in a foreign land."⁵¹ The Israelites lived in a land that was not their own. We live in a world that is not our own. In *Resident Aliens*, Stanley Hauerwas describes the Christian predicament of living in an alien world: "The Sermon, if believed and lived, makes us different, shows us the world to be alien, an odd place where what makes sense to everybody else is revealed to be opposed to what God is doing among us."⁵² We are also called to view ourselves as the stranger and the alien. "You shall also love the stranger, for you were strangers in the land of Egypt." (Deut. 10:19). We each have a story to tell and it is in our stories that we realize we are all strangers, graciously accepted into the kingdom of God. We began with a story and we each carry a story that defines us. When we can share our stories, when we can listen to the stories of others, we realize we are not so different or alien from our neighbors, our brothers and sisters across the border.

⁵¹ Soerens, 45.

⁵² Stanley Hauerwas and William H. Willimon, *Resident Aliens* (Nashville, TN: Abingdon Press, 1989), 64.

Resumen

En el artículo escrito por Vance Goodman, es una respuesta a el controversial tema de la inmigración y presencia de inmigrantes indocumentados en los Estados Unidos, temas que son vistos y analizados desde un punto de vista ético y teológico, y explorando la responsabilidad moral de cada participante y personas afectadas en este debate. El artículo inicia con una excelente distinción entre la responsabilidad humanitaria de la sociedad, para quienes no tienen los recursos esenciales para subsistir, y la responsabilidad moral de las autoridades civiles y políticas de proteger y gobernar la nación que representan, en este caso los Estados Unidos. Una que estos aspectos son aclarados, al artículo nos presenta un análisis moral de los aspectos económicos y los beneficios y supuesto perjuicios de la labor de los inmigrantes; de las implicaciones y argumentos a favor y en contra de la seguridad nacional de los Estados Unidos; de los valores esenciales de la cultura de los Estados Unidos; y finalmente de las iniciativas de reformas migratorias. La conclusión nos presenta una respuesta bíblica y teológica que nos indica nuestra responsabilidad moral y cristiana de atender y cuidar a los forasteros y extranjeros y nos llama a vivir en solidaridad con las personas vulnerables, en este caso las personas indocumentadas que viven en los Estados Unidos y que muchos de ellos dependen de bondad del pueblo cristiano para sustentar sus necesidades básicas.

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